

**6:30 P.M. Informational Meeting:
RE: Violations of Wetlands
and River Protection Act on
Lock Drive.**

CITY OF LEOMINSTER

CITY COUNCIL

MAY 8, 2006

HEARING BEFORE THE CITY COUNCIL, 7:00 P.M.

Relative to amending Chapter 16, Section 16-34 of the Revised Ordinances entitled "Classification of Positions" by changing the classification of the Personnel Director from S-7 to S-8. (Legal Affairs - C-98)

HEARING BEFORE THE CITY COUNCIL, 7:05 P.M.

Relative to amending Chapter 16, Section 16-34 of the Revised Ordinances entitled "Classification of Positions" by changing the classification of the Building Inspector from S-7 to S-8. (Legal Affairs - Petition # 55-06)

HEARING BEFORE THE CITY COUNCIL, 7:10 P.M.

69-06 National Grid and Verizon New England, Inc.: Claudine Road: Install one jointly owned pole on Claudine Road beginning at a point approximately 202 feet north of the intersection of Isabell Circle. (Public Service).

HEARING BEFORE THE CITY COUNCIL, 7:15 P.M.

60-06 Susan M. Harding: Grant a Special Permit to use the existing building at 34 Mohawk Drive, to operate a wholesale auto sales facility in an Industrial zone and to allow for the storage of automobiles within a floodplain. (Legal Affairs)

PUBLIC FORUM, 7:45 P.M.

REGULAR MEETING OF THE CITY COUNCIL, 8:00 P.M.

ROLL CALL

COMMUNICATIONS

- C-121 Relative to the appropriation of \$5,000.00 to the Wire Department Overtime Account; same to be transferred from the Excess and Deficiency Account. (Finance)
- C-122 Dean J. Mazzearella, Mayor: Request that the property at 62-66 Spruce Street, shown on Assessors Map 40, as Lot 1, be declared surplus and made available for sale according to Massachusetts General Laws, Chapter 30B, Section 16. (City Property)

PETITIONS

- 73-06 David E. Rowlands: Amend Chapter 2, Article XVI – Planning Board, Section 2-65 of the Revised Ordinances, entitled “Establishment; appointment and terms of members” to change the composition, requirements, and length of term for Planning Board members. (Ways & Means)
- 74-06 Cindy Dagostino: Renew the second hand dealers license for Record Town d/b/a Strawberries located at 55 Sack Boulevard. (Ways & Means)
- 75-06 Claire Fusco: Renew the license for six pool tables at Tiki Hut Lounge, 21 Sack Boulevard. (Ways & Means)

APPOINTMENTS

Historical Commission - Kate Griffin Brooks – term to expire April 15, 2009.

Water Commission - Jeffrey Dauphinais – term to expire April 15, 2009.

Cultural Commission - Amy LaBarge – term to expire April 15, 2009.

MATTERS BEFORE THE CITY COUNCIL

FINANCE

- C-115 Relative to the appropriation of \$5,000.00 to the Street Cleaning Expense Account; same to be transferred from the Excess and Deficiency Account.

MATTERS BEFORE THE CITY COUNCIL, continued

FINANCE, continued

- C-116 Relative to the appropriation of \$25,000.00 to the Highway General Overtime Account; same to be transferred from the Snow and Ice Overtime Account.

- C-117 Relative to the appropriation of \$13,000.00 to the City Clerk Expense Account; same to be transferred from the Election and Registration Expense Account.

- C-118 Relative to the appropriation of \$3,000.00 to the Cemetery Expense Account; same to be transferred from the Cemetery Perpetual Care Income Trust Fund Account.

- C-119 Relative to the appropriation of \$515.00 to the Health Department Expense Account; same to be transferred from the Excess and Deficiency Account.

- C-120 Relative to the appropriation of \$57,385.00 to the School Department Transportation Expense Account; same to be transferred from the Excess and Deficiency Account.

PUBLIC SERVICE

- 69-06 National Grid and Verizon New England, Inc.: Claudine Road: Install one jointly owned pole on Claudine Road beginning at a point approximately 202 feet north of the intersection of Isabell Circle.

LEGAL AFFAIRS

- 70-06 John Souza and Kate Griffin-Brooks, on behalf of the Leominster Planning Board: Amend Section 24.2.5 of the Leominster Zoning Ordinance entitled Mixed Use Development by 1.) adding after the first sentence in Section 24.2.5.1 "Wetlands, as determined by the Conservation Commission shall not be considered in the density calculations" 2.) adding a new Section 24.2.5.3 allowing a property included on a Master Plan for the purpose of Mixed Use to be only used once for density calculations and 3.) adding a new Section 24.2.5.4 stating any further amendments, changes or revisions on completed projects are governed by the Leominster Zoning Ordinance with notification to the Planning and Development Department. (A hearing is scheduled for June 12, 2006 at 6:45 P.M.)

05/08/06

MATTERS BEFORE THE CITY COUNCIL, continued

PUBLIC SAFETY & CITY PROPERTY

- 71-06 Richard M. Marchand on behalf of the Leominster Downtown Corporation: Request the use of the City Hall Parking Lot, the John Tata Auditorium, the city parking lot located between the First Church Unitarian and the First Baptist Church, Monument Square Park, and the city streets identified as Main Street to School Street, Park Street from Main Street to West Street, and Church Street from the intersection of West Street for a distance approximately fifty feet in a direction toward Merriam Avenue on September 16, 2006 with a rain date of September 30, 2006, from 6:00 A.M. to 6:00 P.M. to accommodate the 13th Annual Johnny Appleseed Arts and Cultural Festival.

CITY PROPERTY

- 72-06 Attorney Steven B. DiPace on behalf of the Richmond Company Inc.: Authorize the sale, exclusive easement or long term exclusive-use lease of twelve parking spaces on the city-owned parcel of land between Central Street and Adams Street and enter into a non-exclusive mutual cross-access easement for access to and from the proposed Walgreen's land, the city-owned parking lot and the public ways abutting such land to be utilized exclusively by and for the benefit of the proposed new Walgreens which is to be constructed on the site currently occupied by Monty's Restaurant which will be demolished as part of the area development plan.

TEMPORARY RE-APPOINTEMENTS

Leominster Fire Department - Acting Chief Ronald M. Pierce, Acting Deputy Chief Gary Ranno, Acting Lieutenant Christopher Cameron

OLD BUSINESS

2nd Reading Ordinance – Amend Chapter 16, Section 16-34 of the Revised Ordinances entitled “Classification of Positions” by changing the classification of the Personnel Director from S-7 to S-8. (Legal Affairs - C-98)

2nd Reading Ordinance – Amend Chapter 16, Section 16-34 of the Revised Ordinances entitled “Classification of Positions” by changing the classification of the Building Inspector from S-7 to S-8. (Legal Affairs - Petition # 55-06)

05/08/06

NEW BUSINESS

Order of Layout – Accept and approve the layout of Jordan’s Way.
(Ways & Means)

1st Reading Ordinance – Amend Chapter 21, Section 21-22.4, of the Revised Ordinances entitled “Water and Sewer” by deleting Section 21-22.4 subsections (a) through (c), in their entirety and inserting new subsections (a) through (e) to reflect changes in fees to individual units, condominium units, commercial and industrial construction within and outside the city of Leominster. (Legal Affairs Petition #62-06)

1st Reading Ordinance – Amend Chapter 13, Section 13-77, of the Revised Ordinances entitled “Stop Signs” by inserting “Amidio Drive, against eastbound drivers at the intersection with Antonia Court.” (Legal Affairs Petition #63-06)

TABLED PETITIONS UPON WHICH ACTION IS PROPOSED

PUBLIC SERVICE & LEGAL AFFAIRS

38-06 Christopher Grunditz: Request that Cedar Road, a paper street, be discontinued.

LEGAL AFFAIRS

60-06 Susan M. Harding: Grant a Special Permit to use the existing building at 34 Mohawk Drive, to operate a wholesale auto sales facility in an Industrial zone and to allow for the storage of automobiles within a floodplain.

05/08/06

TABLED PETITIONS UPON WHICH ACTION IS PROPOSED, continued**LEGALS AFFAIRS, continued**

- 61-06 David Rowlands and John M. Dombrowski: Amend Chapter 21, Section 21-22.3 of the Revised Ordinances entitled "Sewer Rates Schedule" to reflect changes to the out of city sewer rates.

WAYS & MEANS

- 30-05 David Rowlands: Require that no person be appointed to the Planning Board, Conservation Commission or the Zoning Board of Appeals unless that person is a resident of the City and if after being appointed, that person no longer resides in the city, that seat shall automatically be deemed vacant.

Lynn A. Bouchard
City Clerk
May 4, 2006